REMARKS

The above-identified application is United States application serial number 09/838,972 filed on April 20, 2001. Claims 32-62 are pending in the application. Claims 32-62 are rejected.

Rejection of Claims under 35 U.S.C. §103

Claims 32-62 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sciammarella et al (U.S. Patent No. 5,912,668) in view of Wang et al (U.S. Patent No. 6,028,603). Applicant respectfully traverses the rejections.

In claim 32 Sciammarella in view of Wang do not disclose the action of "displaying an individual image to a user." Sciammarella discloses an "anchor whose function is to *collectively represent* elements, such as *graphical images,* within a group." Accordingly, Sciammarella discloses a representation of a group of images – the antithesis of an *individual* image. Sciammarella in view of Wang also do not disclose the action of "subsequently determining dimensions . . . of an image to be printed." Sciammarella discloses in column 4, lines 12-14, that size of an image is determined as part of the "arrangement of images within a group" (col. 3, line 65), and thus is not a "subsequent" determination. Sciammarella in view of Wang do not disclose "subsequently determining dimensions . . . of an image to be printed." Neither Sciammarella nor Wang disclose the concept of sizing the image to determine the dimensions of the printed image. The Examiner acknowledges that Sciammarella does not teach an image(s) to be printed. Similarly, Wang fails to disclose the concept of sizing of images to determine dimensions of a printed image but merely discloses that images may be printed. The applicant's specification precisely defines the concept of sizing in paragraph [0027] whereby "'sizing' refers to determining the dimensions for a photographic image to be printed, and 'image size' refers to the dimensions of a printed image." Neither Sciammarella nor Wang disclose this concept.

In claim 33, Sciammarella in view of Wang do not disclose any of the actions of "displaying a plurality of different individual images at different times, receiving and assigning ranking information . . ., subsequently determining dimensions . ., and printing at least one album page." The reference quoted by the examiner (col. 4, lines 12-15) in

Sciammarella discloses nothing about "displaying . . . different images at different times" but merely refers to document pages being created at different times. Sciammarella still only discloses multiple images displayed at one time, and "arranging" of the images at the time of display." Sciammarella includes no disclosure of "subsequently determining dimensions for . . . images to be printed."

Claims 34, 35, and 36 incorporate the limitations of claims 32 and 33 and are allowable at least for the same reasons.

Claim 37 incorporates the limitations of claim 32 and is allowable at least for the same reasons.

In claim 38, Sciammarella in view of Wang do not disclose "storing the ranking information in combination with data formatted from the displayed individual image." The Examiner references column 3, lines 65-67, which discloses nothing about storing of ranking information but merely describes how an arrangement may be selected.

In claim 39 Sciammarella in view of Wang do not disclose the action of "repeating the displaying and receiving actions for a plurality of individual photographic images." Sciammarella discloses an "anchor whose function is to *collectively represent* elements, such as *graphical images*, within a group." Accordingly, Sciammarella discloses a representation of a group of images – the antithesis of an *individual* image. Sciammarella in view of Wang also do not disclose the action of "subsequently determining dimensions . . . of images to be printed corresponding to the displayed individual images." Sciammarella discloses in column 4, lines 12-14, that size of an image is determined as part of the "arrangement of images within a group" (col. 3, line 65), and thus is not a "subsequent" determination. Sciammarella in view of Wang do not disclose "subsequently determining dimensions . . . of images to be printed." Neither Sciammarella nor Wang disclose the concept of sizing the image to determine the dimensions of the printed image. The Examiner acknowledges that Sciammarella does not teach an image(s) to be printed. Similarly, Wang fails to disclose the concept of sizing of images to determine dimensions of a printed image but merely discloses that images may be printed. The applicant's specification precisely defines the concept of sizing in paragraph [0027] whereby "'sizing' refers to determining the dimensions for a photographic image to be printed, and 'image size' refers to the dimensions of a printed image." Neither Sciammarella nor Wang disclose this concept.

In claim 40 Sciammarella in view of Wang do not disclose "storing the ranking information in combination with data formatted from the displayed individual image." The Examiner references column 3, lines 65-67, which discloses nothing about storing of ranking information but merely describes how an arrangement may be selected.

In claim 41 Sciammarella in view of Wang do not disclose the action of "printing at least one album page including selected ones of a plurality of images to be printed, the selected ones being printed with the determined dimensions." The references fail to disclose either formatting of data into album pages or printed of the album pages.

Claims 42, 43, and 44 incorporate the limitations of claim 39 and are allowable at least for the same reasons. Furthermore, the references fail to disclose either formatting of data into album pages or printed of the album pages.

Claim 45 incorporates the limitations of claim 39 and is allowable at least for the same reasons.

In claim 46 Sciammarella in view of Wang do not disclose "storing the ranking information in combination with the data corresponding to the displayed individual images in ranked image data blocks." The Examiner references column 3, lines 65-67, which discloses nothing about storing of ranking information but merely describes how an arrangement may be selected.

Applicant has amended claim 47. In claim 47 Sciammarella in view of Wang do not disclose a processor adapted to "display an individual image to a user." Sciammarella discloses an "anchor whose function is to *collectively represent* elements, such as *graphical images*, within a group." Accordingly, Sciammarella discloses a representation of a group of images – the antithesis of an *individual* image. Sciammarella in view of Wang also do not disclose the action of "subsequently determining dimensions . . . of an image to be printed." Sciammarella discloses in column 4, lines 12-14, that size of an image is determined as part of the "arrangement of images within a group" (col. 3, line 65), and thus is not a "subsequent" determination. Sciammarella in view of Wang do not disclose a processor adapted to "subsequently determine dimensions . . . of an image to be printed." Neither Sciammarella nor Wang disclose the concept of sizing the image to determine the dimensions of the printed image. The Examiner acknowledges that Sciammarella does not teach an image(s) to be printed. Similarly, Wang fails to disclose the concept of sizing of

images to determine dimensions of a printed image but merely discloses that images may be printed. The applicant's specification precisely defines the concept of sizing in paragraph [0027] whereby "'sizing' refers to determining the dimensions for a photographic image to be printed, and 'image size' refers to the dimensions of a printed image." Neither Sciammarella nor Wang disclose this concept.

In claim 48 Sciammarella in view of Wang do not disclose a processor adapted to "display a plurality of different individual images at different times, receiving and assigning ranking information . . ., subsequently determine dimensions . . , and print at least one album page." The reference quoted by the examiner (col. 4, lines 12-15) in Sciammarella discloses nothing about "displaying . . . different images at different times" but merely refers to document pages being created at different times. Sciammarella still only discloses multiple images displayed at one time, and "arranging" of the images at the time of display." Sciammarella includes no disclosure of "subsequently determining dimensions for . . . images to be printed."

Claims 49, 50, and 51 incorporate the limitations of claims 47 and 48 and are allowable at least for the same reasons.

Claim 52 incorporates the limitations of claim 47 and is allowable at least for the same reasons.

In claim 53 Sciammarella in view of Wang do not disclose a processor adapted to "store the ranking information in combination with data formatted from the displayed individual image." The Examiner references column 3, lines 65-67, which discloses nothing about storing of ranking information but merely describes how an arrangement may be selected.

Applicant has amended claim 54. In claim 54 Sciammarella in view of Wang do not disclose a processor adapted to "repeat the displaying and receiving actions for a plurality of individual photographic images." Sciammarella discloses an "anchor whose function is to *collectively represent* elements, such as *graphical images*, within a group." Accordingly, Sciammarella discloses a representation of a group of images – the antithesis of an *individual* image. Sciammarella in view of Wang also do not disclose the processor adapted to "subsequently determine dimensions . . . of images to be printed corresponding to the displayed individual images." Sciammarella discloses in column 4, lines 12-14, that size of

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an image is determined as part of the "arrangement of images within a group" (col. 3, line 65), and thus is not a "subsequent" determination. Sciammarella in view of Wang do not disclose "subsequently determining dimensions . . . of images to be printed." Neither Sciammarella nor Wang disclose the concept of sizing the image to determine the dimensions of the printed image. The Examiner acknowledges that Sciammarella does not teach an image(s) to be printed. Similarly, Wang fails to disclose the concept of sizing of images to determine dimensions of a printed image but merely discloses that images may be printed. The applicant's specification precisely defines the concept of sizing in paragraph [0027] whereby "'sizing' refers to determining the dimensions for a photographic image to be printed, and 'image size' refers to the dimensions of a printed image." Neither Sciammarella nor Wang disclose this concept.

In claim 55 Sciammarella in view of Wang do not disclose a processor adapted to "store the ranking information in combination with data formatted from the displayed individual image." The Examiner references column 3, lines 65-67, which discloses nothing about storing of ranking information but merely describes how an arrangement may be selected.

In claim 56 Sciammarella in view of Wang do not disclose the processor adapted to "print at least one album page including selected ones of a plurality of images to be printed, the selected ones being printed with the determined dimensions." The references fail to disclose either formatting of data into album pages or printed of the album pages.

Claims 57, 58, and 59 incorporate the limitations of claim 54 and are allowable at least for the same reasons. Furthermore, the references fail to disclose either formatting of data into album pages or printed of the album pages.

Claim 60 incorporates the limitations of claim 54 and is allowable at least for the same reasons.

Applicant has amended claim 61. In claim 61 Sciammarella in view of Wang do not disclose a computable readable program code adapted to cause the processor to "display an individual image to a user." Sciammarella discloses an "anchor whose function is to *collectively represent* elements, such as *graphical images*, within a group." Accordingly, Sciammarella discloses a representation of a group of images – the antithesis of an *individual* image. Sciammarella in view of Wang also do not disclose the computable

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readable program code adapted to cause the processor to "subsequently determine dimensions . . . of an image to be printed." Sciammarella discloses in column 4, lines 12-14, that size of an image is determined as part of the "arrangement of images within a group" (col. 3, line 65), and thus is not a "subsequent" determination. Sciammarella in view of Wang do not disclose "subsequently determining dimensions . . . of an image to be printed." Neither Sciammarella nor Wang disclose the concept of sizing the image to determine the dimensions of the printed image. The Examiner acknowledges that Sciammarella does not teach an image(s) to be printed. Similarly, Wang fails to disclose the concept of sizing of images to determine dimensions of a printed image but merely discloses that images may be printed. The applicant's specification precisely defines the concept of sizing in paragraph [0027] whereby "'sizing' refers to determining the dimensions for a photographic image to be printed, and 'image size' refers to the dimensions of a printed image." Neither Sciammarella nor Wang disclose this concept.

Applicant has amended claim 62. In claim 39 Sciammarella in view of Wang do not disclose the computable readable program code adapted to cause the processor to "repeat the displaying and receiving actions for a plurality of individual photographic images." Sciammarella discloses an "anchor whose function is to *collectively represent* elements, such as *graphical images*, within a group." Accordingly, Sciammarella discloses a representation of a group of images – the antithesis of an *individual* image. Sciammarella in view of Wang also do not disclose the computable readable program code adapted to cause the processor to "subsequently determine dimensions . . . of images to be printed corresponding to the displayed individual images." Sciammarella discloses in column 4, lines 12-14, that size of an image is determined as part of the "arrangement of images within a group" (col. 3, line 65), and thus is not a "subsequent" determination. Sciammarella in view of Wang do not disclose "subsequently determining dimensions . . . of images to be printed." Neither Sciammarella nor Wang disclose the concept of sizing the image to determine the dimensions of the printed image. The Examiner acknowledges that Sciammarella does not teach an image(s) to be printed. Similarly, Wang fails to disclose the concept of sizing of images to determine dimensions of a printed image but merely discloses that images may be printed. The applicant's specification precisely defines the concept of sizing in paragraph [0027] whereby "'sizing' refers to determining the dimensions for a photographic image to be printed, and 'image size' refers to the dimensions of a printed image." Neither Sciammarella nor Wang disclose this concept.

CONCLUSION

The application, including all remaining Claims 32-62, are believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned at (949) 251-0250.

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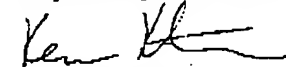
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Joy C. Ngo
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June 13, 2005
(Date)

Respectfully submitted,

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